

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

|                               |   |                                    |
|-------------------------------|---|------------------------------------|
| UNITED STATES OF AMERICA,     | ) | CASE NO.: 1:19CV2179               |
|                               | ) |                                    |
| Plaintiff,                    | ) | JUDGE SARA LIOI                    |
|                               | ) |                                    |
| v.                            | ) |                                    |
|                               | ) |                                    |
| MONTENEGRO RESTORATION, INC., | ) | <u>MOTION FOR DEFAULT JUDGMENT</u> |
|                               | ) |                                    |
| Defendant.                    | ) |                                    |
|                               | ) |                                    |

Now comes the United States of America (the “Plaintiff”), by its attorneys, JUSTIN E. HERDMAN, United States Attorney, and Alex Rokakis, Assistant U.S. Attorney, and pursuant to Rule 55(b)(2) of the Federal Rules of Civil Procedure moves this Honorable Court to enter a default judgment against Montenegro Restoration, Inc., (the “Defendant”) in the above cause for failure to plead, answer, or otherwise defend in said cause as required by law.

Respectfully submitted,

JUSTIN E. HERDMAN  
United States Attorney

By: /s/ Alex Rokakis  
Alex Rokakis (OH: 0029078)  
Assistant U.S. Attorney  
United States Court House  
801 West Superior Avenue, Suite 400  
Cleveland, OH 44113  
(216) 622-3673  
(216) 522-4542 (Facsimile)  
Alex.Rokakis@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify that on October 25, 2019 a copy of the foregoing *Motion for Default Judgment* was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. All other parties will be served by regular U.S. Mail. Parties may access this filing through the Court's system.

*Copy Served via Regular Mail to: Montenegro Restoration, Inc., 5510 Bradley Ave., Cleveland, Oh 44129*

/s/ Alex Rokakis

Alex Rokakis

Assistant U.S. Attorney

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

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| UNITED STATES OF AMERICA,     | ) | CASE NO.: 1:19CV2179                  |
|                               | ) |                                       |
| Plaintiff,                    | ) | JUDGE SARA LIOI                       |
|                               | ) |                                       |
| v.                            | ) |                                       |
|                               | ) |                                       |
| MONTENEGRO RESTORATION, INC., | ) | <u>APPLICATION TO CLERK FOR ENTRY</u> |
|                               | ) | <u>OF DEFAULT JUDGMENT</u>            |
| Defendant.                    | ) |                                       |
|                               | ) |                                       |

Now comes The United States of America and pursuant to Rule 55(b)(1) of the Federal Rules of Civil Procedure and makes application to the Clerk of the above entitled court to enter default against Montenegro Restoration, Inc., (the “Defendant”) in the above cause for failure to plead, answer, or otherwise defend in said cause as required by law.

Default Entered

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CLERK

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DEPUTY CLERK

Respectfully submitted,

JUSTIN E. HERDMAN  
United States Attorney

By: /s/ Alex Rokakis  
Alex Rokakis (OH: 0029078)  
Assistant U.S. Attorney  
United States Court House  
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| UNITED STATES OF AMERICA,     | ) | CASE NO.: 1:19CV2179             |
|                               | ) |                                  |
| Plaintiff,                    | ) | JUDGE SARA LIOI                  |
|                               | ) |                                  |
| v.                            | ) |                                  |
|                               | ) |                                  |
| MONTENEGRO RESTORATION, INC., | ) | <u>DECLARATION IN SUPPORT OF</u> |
|                               | ) | <u>SERVICE</u>                   |
| Defendant.                    | ) |                                  |
|                               | ) |                                  |

Alex Rokakis, Assistant U.S. Attorney, states as follows:

On September 20, 2019 the U.S. Attorney's office mailed the Summons and a copy of the Complaint to Montenegro Restoration, Inc. (the "Defendant"), by FedEx. The FedEx mail was served upon the defendant, MONTENEGRO RESTORATION, INC., on September 25, 2019, as evidenced by the docket record of the U.S. District Court Clerk (R. 5).

Service has therefore been perfected on Defendant pursuant to the Federal Rules of Civil Procedure.

I declare under penalty of perjury that  
the foregoing is true and correct.

Executed on October 25, 2019

Respectfully submitted,

JUSTIN E. HERDMAN  
United States Attorney

By: /s/ Alex Rokakis

Alex Rokakis (OH: 0029078)  
Assistant U.S. Attorney  
United States Court House  
801 West Superior Avenue, Suite 400  
Cleveland, OH 44113  
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| UNITED STATES OF AMERICA,     | ) | CASE NO.: 1:19CV2179             |
|                               | ) |                                  |
| Plaintiff,                    | ) | JUDGE SARA LIOI                  |
|                               | ) |                                  |
| v.                            | ) |                                  |
|                               | ) |                                  |
| MONTENEGRO RESTORATION, INC., | ) | <u>DECLARATION OF AMOUNT DUE</u> |
|                               | ) |                                  |
| Defendant.                    | ) |                                  |
|                               | ) |                                  |

Alex Rokakis, Assistant U.S. Attorney, states that he is the attorney for the United States of America (the “Plaintiff”) in the above-entitled action and that he has read the Complaint filed in this action and knows the contents thereof. Montenegro Restoration, Inc. (the “Defendant”) currently owes the principal amount of \$4,400.00 plus interest in the amount of \$198.99 accrued through 7/30/2019, Penalty fee of \$1,171.91, Administrative fee of \$20.00 and DMS and DOJ fees of \$2,089.50, plus interest from the date of judgment at the legal rate plus costs of suit. Further, based on information and belief, the Defendant is not an infant or incompetent person and not in the military service within the meaning of the Servicemembers Civil Relief Act 2003 (SCRA), as amended. The Financial Litigation Unit has accessed the Department of Defense Manpower Data Center and verified that the Defendant is not currently on active military duty.

I declare under penalty of perjury that  
the foregoing is true and correct.

Executed on October 25, 2019.

Respectfully submitted,

JUSTIN E. HERDMAN  
United States Attorney

By: /s/ Alex Rokakis  
Alex Rokakis (OH: 0029078)  
Assistant U.S. Attorney  
United States Court House  
801 West Superior Avenue, Suite 400  
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| UNITED STATES OF AMERICA,     | ) | CASE NO. 1:19CV2179     |
|                               | ) |                         |
| Plaintiff,                    | ) | JUDGE SARA LIOI         |
|                               | ) |                         |
| v.                            | ) |                         |
|                               | ) |                         |
| MONTENEGRO RESTORATION, INC., | ) | <u>DEFAULT JUDGMENT</u> |
|                               | ) |                         |
| Defendant.                    | ) |                         |
|                               | ) |                         |

A default having been entered as to the MONTENEGRO RESTORATION, INC., (the “Defendant”), on this \_\_\_\_\_ in accordance with Rule 55 of the Federal Rules of Civil Procedure, The United States of America (the “Plaintiff”) having requested judgment against said defaulted Defendant and having filed a proper affidavit with me as to the amount due from Defendant to the Plaintiff;

Judgment is entered in the favor of the Plaintiff, and against the Defendant, in the amount of \$7,880.00 (Principal of \$4,400.00 and interest of \$198.99 through 7/30/2019 and Penalty fee of \$1,171.01, Administrative fee of \$20.00 and DMS & DOJ fees of \$2,089.50) and interest from the date of judgment at the legal rate, computed daily and compounded annually until paid in full, plus costs of suit.

This \_\_\_\_ day of \_\_\_\_\_, 2019.

IT IS SO ORDERED

\_\_\_\_\_  
UNITED STATES DISTRICT JUDGE